

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GERARDO HERNANDEZ,

Plaintiff,

v.

ESA ABDULLA AHMED, et al.,

Defendants.

Case No. [21-cv-01984-TSH](#)

ORDER TO SHOW CAUSE

On May 25, 2021, the Court granted Plaintiff Gerardo Hernandez's administrative motion to compel the joint site inspection required under General Order 56. ECF No. 13. The Court extended the inspection deadline to June 23, 2021 and advised Defendants that they may be subject to sanctions for their failure to actively cooperate in agreeing to a date for the site inspection and all other requirements under General Order 56.

Hernandez now moves the Court a second time to compel the site inspection, stating that his counsel made numerous efforts to schedule the joint site inspection after the Court's order, but defense counsel has not responded to emails or phone calls and has not been heard from since May 11, 2021. ECF No. 15. Hernandez requests the Court order Defendants to attend the joint site inspection at Foothill Food and Liquor, located at 21460 Foothill Boulevard in Hayward, California, on July 28, 2021 at 10:30 a.m. Defendants have failed to respond to Hernandez's motion and have otherwise made no appearance since filing their answer to his complaint on April 15, 2021.

Accordingly, the Court **ORDERS** Defendants Esa Abdulla Ahmed d/b/a Foothill Food and Liquor, and Sun-Hayward, LLC to show cause why sanctions should not be imposed, including entry of default pursuant to Federal Rule of Civil Procedure 55(a), for failure to comply with court

1 deadlines and orders. Defendants shall file a declaration by July 19, 2021. If a responsive
2 declaration is filed, the Court shall either issue an order based on the declaration or conduct a
3 hearing on July 29, 2021 at 10:00 a.m. by Zoom video conference. The webinar link and
4 instructions are located at <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>.

5 Notice is hereby provided that failure to file a written response will be deemed an
6 admission that Defendants do not intend to defend against this action, and their default may be
7 entered accordingly. Thus, it is imperative the Court receive a written response by the deadline
8 above.

9 **IT IS SO ORDERED.**

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11 Dated: July 7, 2021

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13 THOMAS S. HIXSON
14 United States Magistrate Judge
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